

REMARKS

New Claim 20 has been added, which depends from the broadest claim in the elected Group and which finds support in the specification as originally filed. No new matter is believed to be added. Entry and favorable consideration are kindly requested.

The Examiner has restricted this application as follows:

- | | |
|-----------|---|
| Group I. | Claims 1-6, drawn to a method of preparing cell as a cancer therapy comprising the culturing of cells in the presence of a MIF antagonist, and a method of preparing a cellular composition as a cancer therapy comprising the culturing of cells with at least one tumor antigen and an anti-MIF antibody. |
| Group II | Claims 7-11, drawn to a method of preparing autologous cells for administration comprising incubating cells with an anti-MIF antibody or MIF binding fragments. |
| Group III | Claims 12-19, drawn to a cellular composition. |

In response, Applicants have elected Group III, Claims 12-19 with traverse. Applicants kindly submit, however, that the restriction should be withdrawn as improper for reasons set out below.

Applicants respectfully submit that examination of all currently pending claims would not pose an undue burden on the Examiner. Section 803 of The Manual of Patent Examining Procedure states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." Applicants therefore kindly request examination of all currently pending claims.

Applicants note the Examiner's assertion that Claim 2 is generic to a plurality of

patentably distinct species. Since Claim 2 falls outside the elected group, however, no species election is believed to be necessary. Should the Examiner deem otherwise, he is kindly invited to contact Applicants' undersigned representative who would be happy to provide him with an election as appropriate.

Applicants submit that the application is now in condition for examination on the merits. Early notification of such action is earnestly solicited. Should the Examiner require further election or have any suggestions to place the application in even better condition for allowance, Applicants kindly request that the Examiner contact the undersigned representative at the telephone number listed below.

Respectfully submitted,

PIPER RUDNICK LLP

A handwritten signature in black ink, appearing to read 'S. Kelber', is written over a horizontal line.

Steven B. Kelber
Registration No. 30,073
Attorney of Record

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

John K. Pike, Ph.D.
Registration No. 41,253